

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference FP21325	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2005/000380	International filing date (<i>day/month/year</i>) 18 March 2005	Priority date (<i>day/month/year</i>) 18 March 2004	
International Patent Classification (IPC) or national classification and IPC <div style="display: flex; justify-content: space-between;"> Int. Cl. E03B 11/00 (2006.01) B65D 88/34 (2006.01) </div>			
Applicant TECHNOLOGICAL RESOURCES PTY LIMITED et al			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
 - a. ☐ (*sent to the applicant and to the International Bureau*) a total of sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - b. ☐ (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 18 October 2005	Date of completion of this report 29 June 2006
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer G.B. NATH Telephone No. (02) 6283 2126

Box No. I **Basis of the report**

1. With regard to the language, this report is based on:

☒ The international application in the language in which it was filed☐ A translation of the international application into translation furnished for the purposes of:

, which is the language of a

☐ international search (under Rules 12.3(a) and 23.1 (b))☐ publication of the international application (under Rule 12.4(a))☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:☒ the international application as originally filed/furnished☐ the description:

pages as originally filed/furnished

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☐ the claims:

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pages* as amended (together with any statement) under Article 19

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☐ the drawings:

pages as originally filed/furnished

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☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.3. ☐ The amendments have resulted in the cancellation of:☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).☐ the description, pages☐ the claims, Nos.☐ the drawings, sheets/figs☐ the sequence listing (*specify*):☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-9	YES
	Claims None	NO
Inventive step (IS)	Claims 1-9	YES
	Claims None	NO
Industrial applicability (IA)	Claims 1-9	YES
	Claims None	NO

2. Citations and explanations (Rule 70.7)

Documents:

D1: WO 1998/012392A (ROTHOR A/S), 26 March 1998

D2: US 5398349A (HABERLER), 21 March 1995

D3: US 4270232A (BALLEW), 2 June 1981

D4: DE 3927616A (BENNEMANN), 13 December 1990

2.1 Novelty (N) and Inventive Step(IS):

None of the documents D1- D4 discloses all the essential features of Claim 1, thus Claim 1 and the appended claims 2-9 which add further features to the independent Claim 1 are considered to be novel. Also no relevant combination of the cited documents would lead a person skilled in the art to the invention defined in the claims.

Therefore the invention defined in the claims 1-9 is considered to be novel and also to involve an inventive step.

2.2 All the claims conform to the criteria of Industrial Applicability